

**R E M A R K S**

By this Amendment, claims 1, 5, 12, 13, 14, and 17 have been amended and claims 2, 3, 8, 10, 11, and 15 have been cancelled without prejudice or disclaimer. Claims 1, 4-7, 9, 12-14 and 16-17 are pending in the application.

Filed separately herewith is Credit Card Payment Form PTO-2038 in the amount of \$510.00 for a three-month Petition for Extension of Time (also filed separately herewith). If the amount is in error and/or additional fees are needed, the Patent and Trademark Office is authorized to debit or credit, as appropriate, Deposit Account No. 06-1358.

**Objection of Title**

The Examiner has objected to the title as being non-descriptive and has requested that a new title be inserted. In this regard, the old title has been cancelled and replaced by a new title "System and Method for Monitoring and Managing an Enterprise Network." It is respectfully submitted that this new title is more descriptive and clearly indicative of the invention to which the claims are directed.

**Rejections Under 35 USC §102**

Claims 1, 3-5, 8-11 and 13-15 have been rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,735,624 (Rubin et al.).

Of the pending rejected claims, claims 1 and 14 are the only independent claims. For purposes of convenience, claim 1 will be considered first. The Examiner takes the position that the Rubin patent discloses all of the elements recited in claim 1. The Applicants have amended claim 1 to overcome this rejection.

Claim 1 has been amended to further distinctly claim and point out that which the Applicants regard as their invention. In this regard, the claim has been amended to recite that the claimed system is for monitoring and managing an enterprise network. In the body of the claim, the system is defined as being made up of a plurality of management systems that provide management data for the enterprise network. Each of the management systems produces management data concerning operating events, a few of which are defined in the specification on page 3 as including alarms, network events and system events.

Also provided is a management interface system that receives the management data from the plurality of management systems. A portal system coupled to the management interface system receives the management data from the plurality of management systems and presents the management data in a predetermined format. A client view system receives the management data and generates client view data for displaying the status of the enterprise network on a real-time basis.

A workflow system, upon receiving the management data from the plurality of management systems, provides one or more workflows in response to the management data. In this way, the workflows provide corrective measures that correct the operating events.

This is to be contrasted with the Rubin patent that relates to a portal device consisting of a processor and a memory for storing instructions. The instructions are then executed by the processor to cause the processor to receive data transmitted from a portal server on which a user of the portal device is registered, the data being identified by the user upon registering a user account with the portal server. As pointed out at column 1, line 13, the concept of a portal in the Rubin patent is the World Wide Web. Further, as noted at column 2, line 61, the Rubin patent is primarily concerned with configuring a portal server to merely receive and manage specific types

of information such as stock quotes, weather forecasts and sports information. This is done by the portal server retrieving specific information from other servers on behalf of a user.

An important element of Rubin is the provision of a portal device 150 which stores and processes user specific information and/or programs as well as non-user specific information/programs. As shown in Figure 1, the portal device 150 is secured to the client computer 140 through a client link 160. In Figure 2, the portal device 160 is secured through a radio frequency link 220.

The portal device as disclosed in the patent is a separate hardware device used in the process of registration and authentication as explained in Rubin at column 7 starting at line 15.

Thus it can be seen that the Rubin patent neither teaches nor suggests the subject matter that the Applicants regard as their invention as provided for in amended claim 1. Rubin is related to a portal device which is used for registration and authentication of a portal system that takes static information from related websites and displays that information. Claim 1 on the other hand is directed to a system for monitoring and managing an enterprise network.

Since Rubin is concerned with the display of static information taken from websites, the Rubin patent offers no disclosure relating to the provision of a plurality of management systems that provide management data for an enterprise network. Nor does Rubin show that each management system produces management data concerning certain operating events that take place in each of the management systems. Further, Rubin offers no teaching for the provision of a portal system that receives management data from the plurality of management systems and presents the management data in the predetermined format. Rubin is primarily concerned with the creation of a customized home page for displaying various types of information taken from

other websites. Thus, Rubin provides no discussion or teaching in the context of an enterprise network and the various management systems that make up the network.

Further, Rubin, while demonstrating the ability to display static information taken from websites, offers no suggestion or teaching for the provision of a client view system the receives management data in the context of an enterprise network and displays the status of the enterprise network in real-time.

Finally, Rubin is completely silent on the provision of a workflow system that receives management data and provides one or more workflows in response to the management data to provide corrective measures that correct monitored operating events.

In light of the above, it is respectfully submitted that amended claim 1 may no longer be rejected under 35 USC §102(e) as being anticipated by Rubin. Further, it is respectfully submitted that claim 1 is in condition for allowance and is neither anticipated nor made obvious by any of the references of record taken alone or in combination.

Of the claims remaining in the application, claims 3-5 and 9 also are rejected under 35 USC §102(e) as being anticipated by Rubin. In that regard, claims 3-5 and 9 trace their dependence to claim 1 and as such incorporate the limitations of that claim. Thus it is respectfully submitted that claims 3-5 and 9 may no longer be rejected under 35 USC §102(e). Further, it is respectfully submitted that claims 3-5 and 9 are in condition for allowance and are neither anticipated nor made obvious by any of the references of record taken alone or in combination.

With regard to claims 10 and 11, these claims have been cancelled and therefore the prior rejection under 35 USC §102(e) is rendered moot.

Dependent claim 13 has been amended to depend from claim 1 and as such incorporates all of the limitations of that claim. Therefore, it is respectfully submitted that claim 13 may no longer be rejected under 35 USC §102(e). Further, it is respectfully submitted that claim 13 is in condition for allowance and is neither anticipated nor made obvious by any or the references of record taken alone or in combination.

Claim 14 is an independent method claim rejected by the Examiner under 35 USC §102(e) as being anticipated by Rubin. In that regard, the claim has been amended to recite a method for monitoring and managing an enterprise network made up of a plurality of management systems that provide management data for the enterprise network. Each management system produces management data concerning operating events. The steps of the method generally parallel those of the apparatus recited in claim 1. Thus, the arguments previously presented with regard to claim 1 likewise apply to claim 14. For these reasons, claim 14 may no longer be rejected under 35 USC §102(e) as being anticipated by Rubin. Further, it is respectfully submitted that claim 14 is neither anticipated nor made obvious by any of the references of record taken alone or in combination.

Claim 15 which depends from claim 14 has been cancelled and therefore the rejection of claim 15 under 35 USC §102(e) is rendered moot.

#### Rejection Under 35 USC §103

The Examiner has rejected claims 2, 6, 7, 12 and 16-20 under 35 USC §103(a) as being unpatentable over Rubin in view of Pulliam. The Examiner takes the position that while Rubin does not specifically disclose a workflow system, Pulliam does disclose a workflow system for providing one or more workflows.

Applicants' comments with regard to the Rubin reference have already been made and it is respectfully submitted that Rubin provides no suggestion or teaching for the monitoring and managing of an enterprise network as recited in independent claims 1 and 14. Further, the Pulliam reference is directed to a communications scheme of an on-line system for ordering a consumer product having a specific configuration in a manufacturing process.

The Examiner among other things, points to Figure 16 as showing a workflow manager 622. This workflow manager is provided to manage the workflow in the system and has nothing to do with providing a way to correct monitored operating events taking place in an enterprise system.

In light of the above, it is respectfully submitted that amended claim 1 may no longer be rejected under 35 USC §103(a) as being unpatentable over Rubin in view of Pulliam. Further, it is respectfully submitted that claim 1 is in condition for allowance and is neither anticipated nor made obvious by any of the references of record taken alone or in combination.

In light of the comments made with regard to claim 1, it is respectfully submitted that claims 6 and 7, which depend from claim 1, may no longer be rejected under 35 USC §103(a) as being unpatentable over Rubin in view of Pulliam. Further, it is respectfully submitted that claims 6 and 7 are neither anticipated nor made obvious by any of the references of record taken alone or in combination and are thus in condition for allowance.

Claim 17 has been amended to depend from claim 14. Claim 16 already depends from claim 14. As a result, dependent claims 18-20 can now trace their dependence back to claim 14. Thus, the previous remarks with respect to claim 14 likewise apply to claims 16-20 and are therefore patentable. Further, in light of the previous remarks, claims 16-20 may no longer be rejected under 35 USC §103(a) as being unpatentable over Rubin in view of Pulliam. Finally, it

is respectfully submitted that claims 16-20 are in condition for allowance and are neither anticipated nor made obvious by any of the references of record taken alone or in combination.

Other Prior Art Cited

The prior art made of record and not relied upon has been noted and it is respectfully submitted that none of these references taken alone or in combination with any of the art cited in this Office Action anticipate or make obvious the claims now pending in the application.

Conclusion

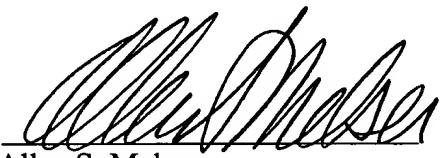
All objections and rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

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